

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

INDECK KEYSTONE
ENERGY, LLC, a Delaware limited liability
company,

Plaintiff,

v.

VICTORY ENERGY
OPERATIONS, LLC, a Delaware limited
liability company,

Defendant.

: CIVIL ACTION
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: NO. 04-CV-325 (ERIE)
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: Judge Sean J. McLaughlin
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ORDER

And Now, this _____ day of May, 2007, upon consideration of the Motion *in Limine* to preclude Defendant's expert testimony that the Keystone® detailed designs are in the public domain filed on behalf of Plaintiff, Indeck Keystone Energy, LLC., and all responses thereto, it is hereby ORDERED, DECREED AND ADJUDGED that Plaintiff's Motion *in Limine* is GRANTED. Any testimony from Paul Miller that IKE's trade secrets are in the public domain is EXCLUDED and VEO's exhibits set forth on Exhibit "B" are EXCLUDED.

BY THE COURT:

McLaughlin, J.